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**From:** Ghosh, Mita [Ghosh.Mita@epa.gov]  
**Sent:** 2/1/2019 1:47:19 PM  
**To:** Palmer, Leif [Palmer.Leif@epa.gov]  
**CC:** Rubini, Suzanne [Rubini.Suzanne@epa.gov]; Hicks, Matt [Hicks.Matthew@epa.gov]  
**Subject:** RE: 404 MOA and ODMDS

Matt is assigned to this while Natalie is out. **Ex. 5 Attorney Client (AC)**  
**Ex. 5 Attorney Client (AC)** Matt however is looking into this to make sure that is accurate.

Mita Ghosh  
Chief, Office of Water Legal Support  
Office of Regional Counsel  
United States Environmental Protection  
Region 4  
404-562-9568

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**From:** Palmer, Leif  
**Sent:** Friday, February 1, 2019 8:43 AM  
**To:** Ghosh, Mita <Ghosh.Mita@epa.gov>  
**Cc:** Rubini, Suzanne <Rubini.Suzanne@epa.gov>  
**Subject:** Fwd: 404 MOA and ODMDS

FYI

Sent from my iPhone

Begin forwarded message:

**From:** "Walker, Mary" <[walker.mary@epa.gov](mailto:walker.mary@epa.gov)>  
**Date:** February 1, 2019 at 7:40:40 AM EST  
**To:** "Gettle, Jeaneanne" <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>, "Ashbee, Blake" <[ashbee.blake@epa.gov](mailto:ashbee.blake@epa.gov)>, "Jenkins, Brandi" <[Jenkins.Brandi@epa.gov](mailto:Jenkins.Brandi@epa.gov)>, "Palmer, Leif" <[Palmer.Leif@epa.gov](mailto:Palmer.Leif@epa.gov)>  
**Cc:** "Allenbach, Becky" <[Allenbach.Becky@epa.gov](mailto:Allenbach.Becky@epa.gov)>, "Zapata, Cesar" <[Zapata.Cesar@epa.gov](mailto:Zapata.Cesar@epa.gov)>  
**Subject:** RE: 404 MOA and ODMDS

Thanks – Can we touch base today on the ODMDS so I can clarify if this is an item we should include. If we have a workable fix – extending by letter – and if this is do-able as a usual course of action (I cant remember exactly but think that we do routinely provide approvals on ODMDS by letter to the Corps) – I may not want to include this item -or will do so only very briefly.

I've copied Leif as our main question is re: any needed procedural notifications/public notice on the ODMDS extension.

Thanks  
Mary

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**From:** Gettle, Jeaneanne  
**Sent:** Thursday, January 31, 2019 2:56 PM  
**To:** Walker, Mary <[walker.mary@epa.gov](mailto:walker.mary@epa.gov)>; Ashbee, Blake <[ashbee.blake@epa.gov](mailto:ashbee.blake@epa.gov)>; Jenkins, Brandi <[Jenkins.Brandi@epa.gov](mailto:Jenkins.Brandi@epa.gov)>  
**Cc:** Allenbach, Becky <[Allenbach.Becky@epa.gov](mailto:Allenbach.Becky@epa.gov)>; Zapata, Cesar <[Zapata.Cesar@epa.gov](mailto:Zapata.Cesar@epa.gov)>  
**Subject:** 404 MOA and ODMDs

Mary, Blake and Brandi,

Please see the information below which we discussed this morning. With regard to the ODMDs we are working quickly with the Corps to try to have a plan to allow for operation of the existing ODMDs after April 30. We are attempting to have this agreement signed before February 15 (signed jointly by Mary and the Commander of Mobile District). This would be a notice to the public that we are changing the expiration date of the existing ODMDs. We cannot guarantee getting this done before February 15 because we still need further discussions with the Corps and our legal folks but we are trying. I will update you on this next week.

Thanks  
jeaneanne

- 404 assumption ESA MOA: OGC is the lead on this issue for EPA. In December, OGC senior leadership discussed the 404 program and the proposed ESA MOA with DOI senior leadership. At that time they also provided briefing materials to be used to brief the DOI Secretary. At this time, we have no update or follow up from this discussion.
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- Expansion of the Mobile Ocean Dredged Material Disposal Site (ODMDs): The schedule for completing the action to expand the Mobile ODMDs will be delayed beyond April 30, 2019. This delay is needed to address comments from the Alabama Historical Commission and is increased due to the lapse in funding and government shutdown. The current Site Management and Monitoring Plan (SMMP) for the ODMDs expires on April 30, 2019. An additional impact of the delay is that EPA and Corps staff will now need to invest additional resources in updating the current SMMP by this date in order to ensure there is no lapse in use of the ODMDs. Region 4 staff are in the process of developing plans and timeframes in coordination with the Corps for these actions.